

House File 2337 - Introduced

HOUSE FILE 2337

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO LSB 5116HA)

(SUCCESSOR TO LSB 5116HB)

A BILL FOR

1 An Act relating to appropriations to the department of cultural
2 affairs, the economic development authority, certain
3 board of regents institutions, the department of workforce
4 development, the Iowa finance authority, and the public
5 employment relations board, providing for other properly
6 related matters, including effective date and retroactive
7 and other applicability provisions.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

FY 2012-2013 APPROPRIATIONS

Section 1. 2011 Iowa Acts, chapter 130, section 48, is amended to read as follows:

SEC. 48. DEPARTMENT OF CULTURAL AFFAIRS. There is appropriated from the general fund of the state to the department of cultural affairs for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions for the department:

.....	\$	85,907
		<u>171,813</u>
.....	FTEs	74.50

The department of cultural affairs shall coordinate activities with the tourism office of the ~~department of~~ economic development authority to promote attendance at the state historical building and at this state's historic sites.

Full-time equivalent positions authorized under this subsection shall be funded, in full or in part, using moneys appropriated under this subsection ~~and~~, subsections 3 through 7, and subsection 10.

2. COMMUNITY CULTURAL GRANTS

For planning and programming for the community cultural grants program established under section 303.3:

.....	\$	86,045
		<u>172,090</u>

3. HISTORICAL DIVISION

For the support of the historical division:

.....	\$	1,383,851
		<u>2,767,701</u>

4. HISTORIC SITES

1 For the administration and support of historic sites:
2 \$ 213,199
3 426,398

4 5. ARTS DIVISION
5 For the support of the arts division:
6 \$ 466,882
7 933,764

8 6. IOWA GREAT PLACES
9 For the Iowa great places program established under section
10 303.3C:
11 \$ 75,000
12 150,000

13 7. ARCHIVE IOWA GOVERNORS' RECORDS
14 For archiving the records of Iowa governors:
15 \$ 32,967
16 65,933

17 8. RECORDS CENTER RENT
18 For payment of rent for the state records center:
19 \$ 113,622
20 227,243

21 9. BATTLE FLAGS
22 For continuation of the project recommended by the Iowa
23 battle flag advisory committee to stabilize the condition of
24 the battle flag collection:
25 \$ 30,000
26 60,000

27 10. FILM OFFICE
28 For the support of the film office:
29 \$ 150,000

30 Sec. 2. BATTLE FLAG RESTORATION FUND.
31 1. A battle flag restoration fund is created and established
32 as a separate and distinct fund in the state treasury under
33 the control of the department of cultural affairs. The moneys
34 in the fund are appropriated to the department for purposes
35 of continuing the project recommended by the Iowa battle flag

1 advisory committee to stabilize the condition of the battle
2 flag collection. Moneys in the fund shall not be subject to
3 appropriation for any other purpose by the general assembly,
4 but shall be used only for the purposes of the battle flag
5 restoration fund.

6 2. The battle flag restoration fund shall consist of any
7 moneys appropriated by the general assembly and any other
8 moneys available to and obtained or accepted by the department
9 for placement in the fund including any proceeds from insurance
10 settlements received by the state involving battle flags loaned
11 to other states or entities.

12 3. Notwithstanding section 12C.7, subsection 2, interest or
13 earnings on moneys in the fund shall be credited to the fund.

14 Sec. 3. 2011 Iowa Acts, chapter 130, section 49, subsection
15 1, is amended to read as follows:

16 1. For the fiscal year beginning July 1, 2012, the goals for
17 the ~~department of~~ economic development authority shall be to
18 expand and stimulate the state economy, increase the wealth of
19 Iowans, and increase the population of the state.

20 Sec. 4. 2011 Iowa Acts, chapter 130, section 49, subsection
21 2, unnumbered paragraph 1, is amended to read as follows:

22 To achieve the goals in subsection 1, the ~~department of~~
23 economic development authority shall do all of the following
24 for the fiscal year beginning July 1, 2012:

25 Sec. 5. 2011 Iowa Acts, chapter 130, section 50, subsection
26 1, is amended to read as follows:

27 1. APPROPRIATION

28 There is appropriated from the general fund of the state to
29 the ~~department of~~ economic development authority for the fiscal
30 year beginning July 1, 2012, and ending June 30, 2013, the
31 following amounts, or so much thereof as is necessary, to be
32 used for the purposes designated in subsection 2, and for not
33 more than the following full-time equivalent positions:

34	\$	4,891,712
35		<u>8,858,424</u>

1 FTEs 149.00

2 Of the moneys appropriated pursuant to this subsection, the
3 economic development authority shall not allocate more than
4 \$75,000 for the purchase of licensing related to a business
5 assistance website.

6 Sec. 6. 2011 Iowa Acts, chapter 130, section 50, subsection
7 2, paragraphs b and c, are amended to read as follows:

8 b. The full-time equivalent positions authorized under this
9 section shall be funded, in whole or in part, by the moneys
10 appropriated under subsection 1 or by other moneys received by
11 the ~~department~~ authority, including certain federal moneys.

12 c. For business development operations and programs, ~~the~~
13 ~~film office~~, international trade, export assistance, workforce
14 recruitment, and the partner state program.

15 Sec. 7. 2011 Iowa Acts, chapter 130, section 50, subsection
16 4, paragraph c, is amended to read as follows:

17 c. A business that receives financial assistance from the
18 ~~department~~ authority from moneys appropriated in this section
19 shall only employ individuals legally authorized to work in
20 this state. In addition to all other applicable penalties
21 provided by current law, all or a portion of the assistance
22 received by a business which is found to knowingly employ
23 individuals not legally authorized to work in this state is
24 subject to recapture by the department.

25 Sec. 8. 2011 Iowa Acts, chapter 130, section 50, subsection
26 5, is amended to read as follows:

27 5. USES OF APPROPRIATIONS

28 a. From the moneys appropriated in this section, the
29 ~~department~~ authority may provide financial assistance in the
30 form of a grant to a community economic development entity for
31 conducting a local workforce recruitment effort designed to
32 recruit former citizens of the state and former students at
33 colleges and universities in the state to meet the needs of
34 local employers.

35 b. From the moneys appropriated in this section, the

1 ~~department~~ authority may provide financial assistance to
2 early stage industry companies being established by women
3 entrepreneurs.

4 c. From the moneys appropriated in this section, the
5 ~~department~~ authority may provide financial assistance in
6 the form of grants, loans, or forgivable loans for advanced
7 research and commercialization projects involving value-added
8 agriculture, advanced technology, or biotechnology.

9 d. The ~~department~~ authority shall not use any moneys
10 appropriated in this section for purposes of providing
11 financial assistance for the Iowa green streets pilot
12 project or for any other program or project that involves the
13 installation of geothermal systems for melting snow and ice
14 from streets or sidewalks.

15 Sec. 9. 2011 Iowa Acts, chapter 130, section 50, subsection
16 7, is amended to read as follows:

17 7. IOWA COMMISSION ON VOLUNTEER SERVICE

18 For allocation to the Iowa commission on volunteer service
19 for the Iowa's promise and mentoring partnership programs, for
20 transfer to the Iowa state commission grant program, and for
21 not more than the following full-time equivalent positions:

22	\$	89,067
23		<u>178,133</u>
24	FTEs	7.00

25 Of the moneys appropriated in this subsection, the
26 ~~department~~ authority shall allocate ~~\$37,500~~ \$75,000 for
27 purposes of the Iowa state commission grant program and ~~\$51,567~~
28 \$103,133 for purposes of the Iowa's promise and mentoring
29 partnership programs.

30 Notwithstanding section 8.33, moneys appropriated in this
31 subsection that remain unencumbered or unobligated at the close
32 of the fiscal year shall not revert but shall remain available
33 for expenditure for the purposes designated until the close of
34 the succeeding fiscal year.

35 Sec. 10. 2011 Iowa Acts, chapter 130, section 51, is amended

1 to read as follows:

2 SEC. 51. VISION IOWA PROGRAM — FTE AUTHORIZATION. For
3 purposes of administrative duties associated with the vision
4 Iowa program for the fiscal year beginning July 1, 2012, the
5 ~~department of economic development~~ authority is authorized an
6 additional 2.25 FTEs above those otherwise authorized in this
7 division of this Act.

8 Sec. 11. 2011 Iowa Acts, chapter 130, section 52, is amended
9 to read as follows:

10 SEC. 52. INSURANCE ECONOMIC DEVELOPMENT. From the moneys
11 collected by the division of insurance in excess of the
12 anticipated gross revenues under section 505.7, subsection
13 3, during the fiscal year beginning July 1, 2012, \$100,000
14 shall be transferred to the ~~department of economic development~~
15 authority for insurance economic development and international
16 insurance economic development.

17 Sec. 12. 2011 Iowa Acts, chapter 130, section 53, is amended
18 to read as follows:

19 SEC. 53. COMMUNITY DEVELOPMENT LOAN FUND. Notwithstanding
20 section 15E.120, subsection 5, there is appropriated from the
21 Iowa community development loan fund all moneys available
22 during the fiscal year beginning July 1, 2012, and ending June
23 30, 2013, to the ~~department of economic development~~ authority
24 for purposes of the community development program.

25 Sec. 13. 2011 Iowa Acts, chapter 130, section 54, is amended
26 to read as follows:

27 SEC. 54. WORKFORCE DEVELOPMENT FUND. There is appropriated
28 from the workforce development fund account created in section
29 15.342A to the workforce development fund created in section
30 15.343 for the fiscal year beginning July 1, 2012, and ending
31 June 30, 2013, the following amount, for purposes of the
32 workforce development fund:

33 \$ ~~2,000,000~~
34 4,000,000

35 Sec. 14. 2011 Iowa Acts, chapter 130, section 55, is amended

1 to read as follows:

2 SEC. 55. WORKFORCE DEVELOPMENT ADMINISTRATION. From
3 moneys appropriated or transferred to or receipts credited
4 to the workforce development fund created in section 15.343,
5 up to \$400,000 for the fiscal year beginning July 1, 2012,
6 and ending June 30, 2013, are appropriated to the ~~department~~
7 ~~of economic development~~ authority for the administration of
8 workforce development activities including salaries, support,
9 maintenance, and miscellaneous purposes, and for not more than
10 the following full-time equivalent positions:

11 FTEs 4.00

12 Sec. 15. 2011 Iowa Acts, chapter 130, section 57,
13 subsections 1, 2, and 4, are amended to read as follows:

14 1. There is appropriated from the general fund of the state
15 to Iowa state university of science and technology for the
16 fiscal year beginning July 1, 2012, and ending June 30, 2013,
17 the following amount, or so much thereof as is necessary, to
18 be used for small business development centers, ~~the science~~
19 ~~and technology research park,~~ and the institute for physical
20 research and technology, and for not more than the following
21 full-time equivalent positions:

22 \$ ~~1,212,151~~
23 843,832
24 FTEs ~~56.63~~
25 22.73

26 2. Of the moneys appropriated in subsection 1, Iowa state
27 university of science and technology shall allocate at least
28 ~~\$468,178~~ \$735,728 for purposes of funding small business
29 development centers. Iowa state university of science and
30 technology may allocate moneys appropriated in subsection 1 to
31 the various small business development centers in any manner
32 necessary to achieve the purposes of this subsection.

33 4. It is the intent of the general assembly that the
34 industrial incentive program focus on Iowa industrial
35 sectors and seek contributions and in-kind donations from

1 businesses, industrial foundations, and trade associations,
 2 and that moneys for the institute for physical research and
 3 technology industrial incentive program shall be allocated
 4 only for projects which are matched by private sector moneys
 5 for directed contract research or for nondirected research.
 6 The match required of small businesses as defined in section
 7 15.102, subsection 6 10, for directed contract research or for
 8 nondirected research shall be \$1 for each \$3 of state funds.
 9 The match required for other businesses for directed contract
 10 research or for nondirected research shall be \$1 for each \$1 of
 11 state funds. The match required of industrial foundations or
 12 trade associations shall be \$1 for each \$1 of state funds.

13 Iowa state university of science and technology shall
 14 report annually to the joint appropriations subcommittee on
 15 economic development and the legislative services agency the
 16 total amount of private contributions, the proportion of
 17 contributions from small businesses and other businesses, and
 18 the proportion for directed contract research and nondirected
 19 research of benefit to Iowa businesses and industrial sectors.

20 Sec. 16. 2011 Iowa Acts, chapter 130, section 59,
 21 subsections 1 and 2, are amended to read as follows:

22 1. There is appropriated from the general fund of the
 23 state to the university of northern Iowa for the fiscal year
 24 beginning July 1, 2012, and ending June 30, 2013, the following
 25 amount, or so much thereof as is necessary, to be used for ~~the~~
 26 ~~metal casting institute,~~ the MyEntreNet internet application,
 27 and the institute of decision making, including salaries,
 28 support, maintenance, miscellaneous purposes, and for not more
 29 than the following full-time equivalent positions:

30	\$	287,358
31		<u>517,263</u>
32	FTEs	6.75
33		<u>5.55</u>

34 2. Of the moneys appropriated pursuant to subsection 1, the
 35 university of northern Iowa shall allocate at least ~~\$58,820~~

1 \$117,639 for purposes of support of entrepreneurs through the
2 university's regional business center.

3 Sec. 17. 2011 Iowa Acts, chapter 130, section 61,
4 subsections 1 and 2, are amended to read as follows:

5 1. DIVISION OF LABOR SERVICES

6 a. For the division of labor services, including salaries,
7 support, maintenance, miscellaneous purposes, and for not more
8 than the following full-time equivalent positions:

9	\$	1,747,720
10		<u>3,495,440</u>
11	FTEs	64.00

12 b. From the contractor registration fees, the division of
13 labor services shall reimburse the department of inspections
14 and appeals for all costs associated with hearings under
15 chapter 91C, relating to contractor registration.

16 2. DIVISION OF WORKERS' COMPENSATION

17 a. For the division of workers' compensation, including
18 salaries, support, maintenance, miscellaneous purposes, and for
19 not more than the following full-time equivalent positions:

20	\$	1,474,522
21		<u>2,949,044</u>
22	FTEs	30.00

23 b. The division of workers' compensation shall charge a
24 \$100 filing fee for workers' compensation cases. The filing
25 fee shall be paid by the petitioner of a claim. However, the
26 fee can be taxed as a cost and paid by the losing party, except
27 in cases where it would impose an undue hardship or be unjust
28 under the circumstances. The moneys generated by the filing
29 fee allowed under this subsection are appropriated to the
30 department of workforce development to be used for purposes of
31 administering the division of workers' compensation.

32 Sec. 18. 2011 Iowa Acts, chapter 130, section 61, subsection
33 4, is amended to read as follows:

34 4. OFFENDER REENTRY PROGRAM

35 a. For the development and administration of an offender

1 reentry program to provide offenders with employment skills,
2 and for not more than the following full-time equivalent
3 positions:

4	\$	142,232
5		<u>284,464</u>
6	FTEs	3.00

7 b. The department shall partner with the department of
8 corrections to provide staff within the correctional facilities
9 to improve offenders' abilities to find and retain productive
10 employment.

11 Sec. 19. 2011 Iowa Acts, chapter 130, section 63, subsection
12 1, is amended to read as follows:

13 1. There is appropriated from the special employment
14 security contingency fund to the department of workforce
15 development for the fiscal year beginning July 1, 2012, and
16 ending June 30, 2013, the following amount, or so much thereof
17 as is necessary, to be used for field offices:

18	\$	608,542
19		<u>1,217,084</u>

20 Sec. 20. 2011 Iowa Acts, chapter 130, section 64, is amended
21 to read as follows:

22 SEC. 64. UNEMPLOYMENT COMPENSATION RESERVE FUND —
23 FIELD OFFICES. Notwithstanding section 96.9, subsection 8,
24 paragraph "e", there is appropriated from interest earned on
25 the unemployment compensation reserve fund to the department
26 of workforce development for the fiscal year beginning July 1,
27 2012, and ending June 30, 2013, the following amount or so much
28 thereof as is necessary, for the purposes designated:

29 For the operation of field offices:

30	\$	1,200,000
31		<u>500,000</u>

32 Sec. 21. 2011 Iowa Acts, chapter 130, section 65, is amended
33 to read as follows:

34 SEC. 65. GENERAL FUND — EMPLOYEE MISCLASSIFICATION
35 PROGRAM. There is appropriated from the general fund of the

1 state to the department of workforce development for the fiscal
2 year beginning July 1, 2012, and ending June 30, 2013, the
3 following amount, or so much thereof as is necessary, to be
4 used for the purposes designated:

5 For enhancing efforts to investigate employers that
6 misclassify workers and for not more than the following
7 full-time equivalent positions:

8	\$	225,729
9		<u>451,458</u>
10	FTEs	8.10

11 Sec. 22. 2011 Iowa Acts, chapter 130, section 67, subsection
12 1, is amended to read as follows:

13 1. There is appropriated from the general fund of the state
14 to the Iowa finance authority for the fiscal year beginning
15 July 1, 2012, and ending June 30, 2013, the following amount,
16 or so much thereof as is necessary, to be used to provide
17 reimbursement for rent expenses to eligible persons under the
18 rent subsidy program:

19	\$	329,000
20		<u>658,000</u>

21 Sec. 23. 2011 Iowa Acts, chapter 130, section 69, subsection
22 1, is amended to read as follows:

23 1. There is appropriated from the general fund of the state
24 to the public employment relations board for the fiscal year
25 beginning July 1, 2012, and ending June 30, 2013, the following
26 amount, or so much thereof as is necessary, for the purposes
27 designated:

28 For salaries, support, maintenance, miscellaneous purposes,
29 and for not more than the following full-time equivalent
30 positions:

31	\$	528,936
32		<u>1,148,426</u>
33	FTEs	10.00

34 Sec. 24. REPEAL. 2011 Iowa Acts, chapter 130, section 58,
35 is repealed.

1 DIVISION II
2 FILM OFFICE

3 Sec. 25. Section 2.48, subsection 3, paragraph c,
4 subparagraph (5), Code 2011, is amended by striking the
5 subparagraph.

6 Sec. 26. Section 15.119, subsection 2, paragraph b, Code
7 Supplement 2011, is amended by striking the paragraph.

8 Sec. 27. Section 303.1, subsection 4, Code 2011, is amended
9 by adding the following new paragraph:

10 NEW PARAGRAPH. e. Film office.

11 Sec. 28. NEW SECTION. 303.95 **Film office establishment and**
12 **purpose.**

13 The department shall establish and administer a film office.
14 The purpose of the film office is to assist legitimate film,
15 television, and video producers in the production of film,
16 television, and video projects in the state and to increase the
17 fiscal impact on the state's economy of film, television, and
18 video projects produced in the state.

19 Sec. 29. Section 422.7, subsection 52, Code Supplement
20 2011, is amended by striking the subsection.

21 Sec. 30. Section 422.33, subsections 23 and 24, Code
22 Supplement 2011, are amended by striking the subsections.

23 Sec. 31. Section 422.35, subsection 23, Code Supplement
24 2011, is amended by striking the subsection.

25 Sec. 32. Section 422.60, subsections 10 and 11, Code
26 Supplement 2011, are amended by striking the subsections.

27 Sec. 33. Section 533.329, subsection 2, paragraphs f and g,
28 Code Supplement 2011, are amended by striking the paragraphs.

29 Sec. 34. REPEAL. Sections 15.391, 15.392, 15.393, 422.11T,
30 422.11U, 432.12J, and 432.12K, Code and Code Supplement 2011,
31 are repealed.

32 Sec. 35. EFFECTIVE UPON ENACTMENT. This division of this
33 Act, being deemed of immediate importance, takes effect upon
34 enactment.

35 Sec. 36. RETROACTIVE APPLICABILITY. This division of this

1 Act applies retroactively to January 1, 2012, for tax years
2 beginning on or after that date.

3 Sec. 37. APPLICABILITY. This division of this Act does not
4 apply to contracts or agreements entered into on or before the
5 effective date of this Act.

6 EXPLANATION

7 This bill relates to appropriations and transfers from the
8 general fund of the state and other funds to the department
9 of cultural affairs, the economic development authority,
10 the university of northern Iowa, Iowa state university,
11 the department of workforce development, the Iowa finance
12 authority, and the public employment relations board for the
13 2012-2013 fiscal year. The bill is organized by divisions.

14 FY 2012-2013 APPROPRIATIONS. The bill relates to the
15 establishment of a battle flag restoration fund. Moneys
16 in the fund are appropriated to the department of cultural
17 affairs for the purposes of continuing the project recommended
18 by the Iowa battle flag advisory committee to stabilize the
19 condition of the battle flag collection. The fund shall
20 consist of any moneys appropriated by the general assembly and
21 any other moneys available to or accepted by the department of
22 cultural affairs for the fund including proceeds from insurance
23 settlements received by the state involving battle flags loaned
24 to other states or entities.

25 The bill relates to transfers of moneys collected by the
26 division of insurance in excess of the anticipated gross
27 revenues to the economic development authority for purposes
28 of insurance economic development and international insurance
29 economic development.

30 The bill relates to moneys appropriated from the Iowa
31 community development loan fund to the economic development
32 authority for purposes of the community development program.

33 The bill relates to moneys appropriated from the workforce
34 development fund account to the workforce development fund.

35 The bill provides that moneys appropriated or transferred

1 to or receipts credited to the workforce development fund
2 are appropriated to the economic development authority for
3 administration of workforce development activities.

4 The bill relates to moneys appropriated from the special
5 employment security contingency fund to the department of
6 workforce development for field offices.

7 The bill relates to interest earned on the unemployment
8 compensation reserve fund appropriated to the department of
9 workforce development for the operation of field offices.

10 The bill relates to moneys appropriated to the department
11 of workforce development for an employee misclassification
12 program.

13 FILM OFFICE. The bill transfers the film office from the
14 economic development authority to the department of cultural
15 affairs. The bill also eliminates the film, television, and
16 video project promotion program including the related tax
17 credits and income exclusions. This division of the bill takes
18 effect upon enactment, applies retroactively to January 1,
19 2012, for tax years beginning on or after that date, and does
20 not apply to contracts or agreements entered into on or before
21 the effective date of the bill.